

REMARKS

Claims 1, 3 through 11, 13 through 17, and 19 through 21 are pending in this application.
Claims 19 through 21 are allowed.

Claims 1, 3, 4, 6 through 8, 10, 11, 13, 14, 16, and 17 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,091, 713 to Horne, et al. ("Horne, et al. patent") in view of U.S. Patent No. 6,418,416 to Rosenberg, et al. ("Rosenberg, et al. patent"). Also, claims 5, 9, and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Horne, et al. patent in view of the Rosenberg, et al. patent and U.S. Patent No. 5,525,967 to Azizi, et al. ("Azizi, et al. patent").

Claim 1 provides "conveying by the first vending machine said location to a customer in response to a selection of the desired product by the customer" and, similarly, claim 11 provides a processing system that is programmed to "cooperate with the customer interface to convey said location to a customer in response to a selection of the desired product by the customer through the customer interface".

In contrast, the Horne, et al. patent, the Rosenberg, et al. patent, and the Azizi, et al. patent do not describe or suggest conveying a location of a nearby alternate vending machine for a desired product to a customer in response to a selection of the desired product by the customer, as required by claims 1 and 11. The Horne, et al. patent describes a vending machine that dispenses a product in response to a product selection by a customer, but the vending machine does not convey location information in response to a product selection by a customer.

Serial No. 09/378,586

Attorney Docket No. PF01800NA

Similarly, the Rosenberg, et al. patent describes cabinets that dispense products in response to product selections by customers, but the cabinets do not convey location information *in response to product selections by customers* (see below). Likewise, the Azizi, et al. patent does not describe or suggest any type of action in response to a product selection by a customer.

The above Office Action states that the Rosenberg, et al. patent teaches that queries are made based on a product selected (col. 6, line 47) and, therefore, the information is conveyed in response to an item selection. However, the Examiner's interpretation of the Rosenberg, et al. patent is not entirely correct. As shown in FIG. 6 and described at col. 6, lines 45 through 51 of the Rosenberg, et al. patent, this patent describes a system and method in which a user may enter a query based on partial item names or descriptions and the user may view items that match the query. The viewed items include current cabinet location and inventory. Thereafter, the user may view detailed item descriptions of items in the cabinet or view cabinet inventory. It is important to note that, at the point when items and descriptions are viewed, the user has thus far only provided partial item names or descriptions and a product has not yet been selected. In fact, the items and their corresponding descriptions are provided to the user to assist him or her in selecting one or more of the items. Accordingly, the Rosenberg, et al. patent does not describe or suggest conveying a location of a nearby alternate vending machine for a desired product to a customer *in response to a selection of the desired product by the customer*, as required by claims 1 and 11

Also, claims 1 and 11 distinguish from the Rosenberg, et al. patent for several other reasons, as noted by the previous response of December 31, 2002.

Serial No. 09/378,586

Attorney Docket No. PF01800NA

Therefore, claims 1 and 11 distinguish patentably from the Horne, et al. patent, the Rosenberg, et al. patent, the Azizi, et al. patent, and any combination of these patents.

Claims 3 through 10 and claims 13 through 17 depend from and include all of the limitations of independent claims 1 and 11. Therefore, claims 3 through 10 and claims 13 through 17 distinguish patentably from the Horne, et al. patent, the Rosenberg, et al. patent, the Azizi, et al. patent, and any combination of these patents for the reasons stated above for claims 1 and 11.

In view of the above, reconsideration and withdrawal of the rejections of claims 1, 3 through 11, and 13 through 17 are respectfully requested.

CONCLUSION

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Please charge any fees associated with, including extension of time fees, to Deposit Account 50-2117.

It is submitted that the claims clearly define the invention, are supported by the specification and drawings, and are in a condition for allowance. A Notice of Allowance is

Serial No. 09/378,586

Attorney Docket No. PF01800NA

respectfully solicited. Should the Examiner have any questions or concerns that may expedite prosecution of the present application, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,
Moore, Morris Anthony, et al.

 05/21/03

Hisashi D. Watanabe Date
Attorney for Applicant(s)
Registration No. 37,465
Telephone: (847) 523-2322
Facsimile: (847) 523-2350

Please forward all correspondence to:
Motorola, Inc.
Law Department (HDW)
600 North US Highway 45, AN475
Libertyville, IL 60048